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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,351	09/14/2005	Andras Montvay	DE 030088	6729

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BRIARCLIFF MANOR, NY 10510

EXAMINER

SHELEHEDA, JAMES R

ART UNIT	PAPER NUMBER
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2623

MAIL DATE	DELIVERY MODE
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03/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/549,351

Applicant(s)

MONTVAY ET AL.

Examiner

JAMES SHELEHEDA

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/14/05, 5/09/07.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Sagcob et al. (Sagcob) (WO 99/29045 A1) (submitted by applicant).

As to claim 1, Sagcob discloses a central control unit (central controller; page 2, lines 24-29) for electronic apparatuses (VCR, IRD; Fig 1) having connections for control lines to the electronic apparatuses (page 2, lines 27-39 and page 3, lines 1-14) as well as at least one interface for coupling an external control apparatus to a user interface (REMC; Fig. 1; page 6, lines 24-28), the central control unit being adapted to couple the communication protocols for the connections and for the interface so as to provide the possibility of controlling the electronic apparatuses (page 3, lines 1-20 and page 6, lines 24-39) by means of the at least one external control apparatus (page 6, lines 24-28 and page 2, lines 3-9).

As to claim 2, Sagcob discloses wherein the electronic apparatuses comprise a video recorder (VCR; Fig. 1) or a television (page 2, lines 33-35).

As to claim 3, Sagcob discloses the connections are SCART connections (Fig. 1; page 6, lines 28-34).

As to claim 4, Sagcob discloses that the at least one interface is adapted for wireless communication with the control apparatus (Fig. 1; page 6, lines 24-28).

As to claim 5, Sagcob discloses that the interface is adapted for connection to a network (connected to the local network; Fig. 1) to which at least one control apparatus is connected (Fig. 1).

As to claim 8, Sagcob discloses that the unit, after being switched on (page 3, lines 14-20), is adapted to determine the electronic apparatuses connected to the connections, and their properties (testing control codes to identify the device and corresponding code; page 3, line 21-page 4, line 20)

As to claim 9, Sagcob discloses wherein the central control unit is integrated in one of the electronic apparatuses (integrated within the TV; page 2, lines 24-38).

As to claim 10, Sagcob discloses a network comprising electronic apparatuses (network connecting VCR and IRD; see Fig. 1) and control apparatuses (remote control, OSD menu; page 2, lines 3-9 and lines 27-37), wherein the electronic apparatuses are

coupled to the control apparatuses via a central control unit as claimed in claim 1 (see the rejection of claim 1 above).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sagcob.

As to claim 6, while Sagcob discloses wherein the control apparatus is mobile (remote control; Fig. 1), he fails to specifically disclose a mobile phone.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize a mobile phone as a television remote control, thus providing the user the convenience to send/receive additional communications, such as data related to television viewing or unrelated data/voice communications, without the need for the user to purchase any extra equipment.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Sagcob's system to include wherein the remote control is a mobile phone to provide a single, convenient device to the user, with multiple integrated functions.

As to claim 7, while Sagcob disclose wherein the control apparatus comprises an OSD (page 2, lines 3-9) and connects to a television receiver (Fig. 1; page 9, lines 15-29), he fails to specifically disclose an electronic program guide.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to provide electronic program guides to television viewers, consisting of an on-screen display of available television programming, for the benefit of providing a user-friendly, convenient, means for viewer's to quickly identify programming of interest.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Sagcob's system to include an electronic program guide so as to ensure viewers can locate desired programming through a user-friendly, convenient display.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Waki et al. (7,194,758) disclosing both the use of an television electronic program guide and a mobile phone integrated within a remote control.

Watanabe et al. (7,295,252) disclosing both the use of a mobile phone integrated within a remote control.

Rakib (2002/0019984) disclosing both the use of an television electronic program guide and a mobile phone integrated within a remote control.

Art Unit: 2623

6. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

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(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. () _____ - _____ on _____
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Typed or printed name of person signing this certificate:

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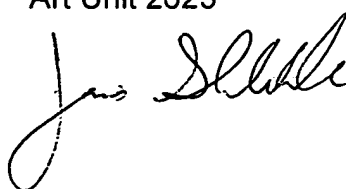
Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES SHELEHEDA whose telephone number is (571)272-7357. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James Sheleheda
Patent Examiner
Art Unit 2623



JS